

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

KAREN EFIRD, Individually and as
Guardian of the Person and of the
Estate of Blanche Adams,
an incapacitated person

PLAINTIFF

V.

CASE NO. 07-CV-4031

CURTIS KING and
HALE COUNTY STATE BANK

DEFENDANTS

ORDER

Before the Court is Plaintiff's Motion for Reconsideration. (Doc. 19). Defendants have responded (Doc. 20). The Court finds the matter ripe for consideration. Plaintiff asks that the Court reconsider its decision to dismiss Plaintiff's case with prejudice and to enter an order dismissing the case without prejudice. The Court stated in its opinion that Plaintiff's cause of action was premature because Plaintiff had not yet suffered any damages, which was an essential element to each of Plaintiff's claims. (*See* Doc. 17, Memorandum Opinion, filed Aug. 3, 2007). Upon consideration, the Court agrees with Plaintiff that the cause of action should have been dismissed without prejudice. The Court will issue an amended order that dismisses the cause of action without prejudice.

IT IS SO ORDERED, this 10th day of September, 2007.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge